

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
                                 )        4:09CR3045  
Plaintiff,                 )  
                              )  
vs.                         )  
                              )        ORDER  
JOSE MARTIN BENITES-REYES, )  
                              )  
Defendant.                 )

The court has been presented a Financial Affidavit (CJA Form 23) signed by the above-named defendant in support of a request for appointed counsel. After a review of the Financial Affidavit, I find that the above-named defendant is eligible for appointment of counsel pursuant to the Criminal Justice Act, 18 U.S.C. §3006A, and the Amended Criminal Justice Act Plan for the District of Nebraska.

**IT THEREFORE HEREBY IS ORDERED:**

The Federal Public Defender for the District of Nebraska is appointed to represent the above named defendant in this matter. In the event that the Federal Public Defender accepts this appointment, the Federal Public Defender shall forthwith file a written appearance in this matter. In the event the Federal Public Defender should decline this appointment for reason of conflict or on the basis of the Criminal Justice Act Plan, the Federal Public Defender shall forthwith provide the court with a draft appointment order (CJA Form 20) bearing the name and other identifying information of the CJA Panel attorney identified in accordance with the Criminal Justice Act Plan for this district.

**IT IS FURTHER ORDERED** that the Clerk shall provide a copy of this order to the Federal Public Defender for the District of Nebraska by electronic notification.

DATED April 29, 2009.

BY THE COURT

s/ *David L. Piester*  
David L. Piester  
United States Magistrate Judge